

Public Law 104-199
104th Congress

An Act

To define and protect the institution of marriage.

Be it enacted by the Senate and House of
Representatives
of the United States of America in Congress assembled, Defense

SECTION 1. SHORT TITLE.

Marriage Act,
1 USC 1 note.

This Act may be cited as the "Defense of Marriage Act".

SEC. 2. POWERS RESERVED TO THE STATES.

(a) IN GENERAL.—Chapter 115 of title 28, United States Code,
is amended by adding after section 1738B the following:

"§1738C. Certain acts, records, and proceedings
and the
effect thereof

"No State, territory, or possession of the United
States, or
Indian tribe, shall be required to give effect to any
public act,
record, or judicial proceeding of any other State,
territory, or possession,
or tribe respecting a relationship between
persons of the
same sex that is treated as a marriage under the
laws of such
other State, territory, possession, or tribe, or a
right or claim
arising from such relationship."

(b) CLERICAL AMENDMENT.—The table of sections at the begin-
ning of chapter 115 of title 28, United States Code, is
amended
by inserting after the item relating to section 1738B the
following
new item:

"1738C. Certain acts, records, and proceedings and the effect thereof."

SEC. 3. DEFINITION OF MARRIAGE.

(a) IN GENERAL.—Chapter 1 of title 1, United
States Code,
is amended by adding at the end the following:

"§ 7. Definition of 'marriage' and 'spouse'.

"In determining the meaning of any Act of
Congress, or
any ruling, regulation, or interpretation of the
various administrative
bureaus and agencies of the United States, the
word 'marriage'
means only a legal union between one man and one
woman as
husband and wife, and the word 'spouse' refers
only to a person
of the opposite sex who is a husband or a wife."